

**ENVIRONMENTAL PROTECTION AGENCY  
REGION 1 - BOSTON**

**CLASS. NO.: 1200  
DELEGATION NO.: 8-37**

**DELEGATION OF AUTHORITY**

**DATE: 4-10-2017**

**SOLID WASTE DISPOSAL ACT**

8-37. Requiring Corrective Action for Releases of Petroleum from Underground Storage Tanks

1. **PURPOSE AND AUTHORITY.**

A. **Purpose.** To redelegate the authorities contained in Delegation 8-37 issued by EPA Headquarters on January 18, 2017.

B. **Authority.** To take all necessary actions under Subtitle I of the Solid Waste Disposal Act (SWDA), as amended, to require the owner or operator of a petroleum underground storage tank (UST) to undertake corrective action.

2. **TO WHOM REDELEGATED.**

A. The Director, Office of Site Remediation and Restoration (OSRR).

B. The Director, OSRR further redelegates this authority to the Manager, Remediation and Restoration II, OSRR.

3. **REDELEGATION AUTHORITY.**

A. This authority may be redelegated to the Branch Chief level, or equivalent, and no further.

B. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

4. **LIMITATIONS.**

A. The Manager, Remediation and Restoration II, OSRR, or his/her designee, must consult with the Superfund Legal Manager, Legal Enforcement Office, Office of Environmental Stewardship (OES), or his/her designee, prior to exercising this authority.

B. The Superfund Legal Manager, Legal Enforcement Office, OES, or his/her designee, is responsible for any necessary consultation with the Manager, Legal Enforcement Office, OES, or his/her designee, and the Regional Counsel, or his/her designee, regarding significant counseling issues.

C. The Manager, Remediation and Restoration II, OSRR, or his/her designee, must notify the Regional Administrator (RA), or his/her designee, and the Assistant Administrator (AA) for the Office of Enforcement and Compliance Assurance (OECA) prior to exercising this authority.

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D. The RA, the AA for OECA, and the AA for the Office of Land and Emergency Management (OLEM) must notify the director of the state agency designated by the governor to implement the UST Program upon exercising this authority.

E. Before either the AA for OECA, or the AA for OLEM exercises this authority, the AA must notify any affected RA.

F. This authority may not be redelegated without the concurrence of the Regional Directives Officer, Human Resources Office, Office of Administration and Resource Management.

5. ADDITIONAL REFERENCES.

A. See Delegation 8-26 entitled *Administrative Enforcement*.

B. See Delegation 8-33 entitled *Selection and Performance of Federal Corrective Actions and Leaking Underground Storage Tanks*.

C. RCRA Section 9003(h) and 9006(a).

6. SUPERSESSION. None.



Deborah A. Szaro  
Acting Regional Administrator

4/10/17  
Date



Bryan Olson  
Director, Office of Site Remediation and Restoration

4/3/17  
Date